Agenda

January 5, 2010
10:30 am – 12:30 pm

CALTRANS
1120 N Street, Room 5235
Sacramento, CA 95814
Contact: Abhijit Bagde
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Telephone Number: (712) 432-1438
Participant Access Code: 932832#

Meeting called by: Muhaned Aljabiry

Facilitator: Abhijit Bagde

Recorder/Time Keeper: Bruce Abanathie

Agenda Topics

Item	Description	Time	Presenter
1	Topics/Agenda/Introductions	10:30	Abhijit Bagde
2	Ground Rules	10:35	Abhijit Bagde
3	Approval of 11/17/2009 meeting minutes	10:40	Abhijit Bagde
4	**Announcements and updates:**	10:45	All
5	**Follow-Up Items from last meeting:** • CT Programming will contact Earl Seaberg to communicate MPOs' concerns regarding delay in receiving 1511 certifications for ARRA projects (See Item No. 6 below) • John Flores will send Breakdown of rescissions – Item completed • Penny Gray will email for volunteers to plan the FSTIP Workshop – Item completed (See Item No. 9 below) • The Grouped Project Task Force will meet with FTA to iron out remaining concerns (See Item No. 11 below)	10:50	Abhijit Bagde
6	1511 certifications for ARRA projects	11:00	Earl Seaberg/Kevin Riley
7	Proposed Jobs for Main Street Act of 2010 – Economic Stimulus Part II	11:10	All
8	Upcoming MPO annual meetings, work program submittals and planning emphasis areas	11:20	Steve Luxenberg
9	Workshop for the 2011 FTIP/FSTIP Development	11:30	Penny Gray
10	Roles and responsibilities of the MPO FTIP Coordinators (Handout No. 1)	11:40	Bruce Abanathie
11	Grouped Project Listings Task Force - Update	11:50	Steve Luxenberg/Abhijit Bagde
12	CMAQ Annual Report	11:55	Jody Tian
13	CTIPS - update	12:00	CTIPS Office/Dennis Jacobs
14	• Follow-Up Items • Open Forum • Future Agenda Items	12:10	All

15	Future meeting dates and locations:	12:15	All
	February 16, 2010 - FHWA, Sacramento (10:30 am – 12:30 pm) March 30, 2010 - SACOG, Sacramento (10:30 am – 12:30 pm) May 11, 2010 - MTC, Oakland (10:30 am – 12:30 pm) June 22, 2010 - Caltrans, Sacramento (10:30 am – 12:30 pm)		

California Federal Programming Group (CFPG)

Minutes for January 5, 2010:

1. Topics/Agenda/Introductions:
Abhijit Bagde, Caltrans HQ Programming, opened the meeting and welcomed the participants to the first meeting of the new calendar year. Self introductions were completed.

2. Ground Rules:
- Since there are phone participants, everyone who speaks should state his/her name and agency.
- Keep comments as brief as possible.
- Stick to the current agenda item. Additional items not in the agenda will be added to the end and will be discussed if time permits.
- Turn off cell phones and limit interruptions.
- This is a forum to hear everyone's concerns, comments and suggestions. Please make sure your voice is heard.
- Facilitator to ask before moving on to the next item if anyone on the phone has any additional comments on the item, then pause for a few seconds.
- Respond to follow-up items and meeting notices by the deadlines.
- Except for follow-up items, the minutes will include discussions that take place during the meeting only. If you do not want what you say during the meeting included in the minutes, state "off the record."
- When not speaking, phone participants to keep their phones on mute if possible.
- Do not place conference call on hold. Please hang up and redial if you must take another call.
- Meeting minutes to be distributed to the group with 10 days after the meeting.

Abhijit reviewed the ground rules highlighting the rules regarding not putting the conference call on hold, and keeping your phone on mute unless you are talking.

3. Approval of 11/17/09 Minutes:
Comments/modifications: Muhaned noted that the ground rules were not spelled out in the minutes; Abhijit will add the ground rules.
Minutes were approved with this change.

4. Announcements and Updates:
ARRA 5311 program:
Kimberly Gayle, Caltrans Div. of Mass Transportation (DMT), reported that the program is in the implementation phase with project agreements being completed, reporting requirements being addressed, and projects going to bid. Mass Transportation is working with project sponsors on cost savings. Kimberly noted that the advantage of having a grant program is that the grant can be easily modified to compensate for the cost savings with the concurrence of the programming office
Regional FTA 5311 program:
DMT has received the estimated 2010 funding levels and will release the apportionment tables as soon as possible. DMT completed the 2009 grant with FTA in December, hoping to complete the 2010 grant quicker now that the ARRA work is complete.

FTA 5307 program:

For small urbanized areas, the Governor's administrative authority was delegated to the MPOs in 2006. That delegation is still in effect, however a recent FTA legal opinion has stated that some of the apportionments, specifically the transfer of apportionments between urbanized areas, requires more state-level oversight. FTA apportionments (unlike federal highway funds, which are allocated by region) are statutorily allocated by urbanized area. Any transfer of FTA apportionment between urbanized areas – even within a region – must have concurrence at the state-level (see FTA section 5336 for guidance). DMT, in conjunction with CA Division of FTA, has prepared a letter to HQ FTA Legal preparing to modify the language of the Governor's Delegation to meet their recent decision. In the interim, Caltrans is developing a process to review and concur with the FTA apportionment transfers between urbanized areas. The process will be for the MPO to notify DMT and the Federal Programming Offices when programming a potential transfer of FTA funds between urbanized areas. For the purpose of developing the 2011 FTIPs, Kimberly will notify the MPOs by email of the permanent process for approval of a transfer of apportionment between urbanized areas.

Muhaned asked Kimberly to confirm that this decision/process affects ARRA funded projects. Kimberly stated that this does affect ARRA projects but that it will not stop the progression of the agreements or the bid/award process.

Highway Safety Improvement Program:

Ying Ping, HQ Local Assistance (DLA), reported that they are finalizing the project list for the next round of the HSIP program. The list of about 100 projects totaling $50 million will (hopefully) be available at the end of this month. DLA will email the list to the MPOs and Caltrans Districts in order to get the information to the local agency project sponsors. Abhijit asked Ying Ping to clarify that the list was to add the next round of projects, not to replace the existing list of HSIP projects.

Jose Luis, SACOG, asked DLA to add a clarification in their notices to the local agency project sponsors that although the state-managed funds are programmed as a group listing and that all funds are programmed in the construction phase, that the project sponsors are able (expected) to obligate the preliminary engineering and right of way phases at an earlier date in order to have the project ready to construct in the year programmed. Ying Ping stated that she would ask the DLAEs to make that notification when they notified the project sponsors of the programming.

Steve Luxenburg asked DLA to specify which projects are exempt per tables 2&3 for the non-attainment areas; as only the exempt projects can be programmed in a group listing. Abhijit noted that the decision of the exempt status of a project is made by the regional agencies when programming. DLA will include a notice to MPOs to review the projects for exempt status before programming. Wade Hobbs, FHWA, asked if the new project lists be posted on the DLA webpage. Ying Ping and Abhijit state that the information will be posted on both the DLA and Programming webpages.

SHOPP GARVEE Project Programming:

Penny Gray, HQ Programming, noted that the financial information for the SHOPP projects in CTIPS programming does not show the GARVEE funds or the support costs for the project. The MPOs will need to add that funding manually. The Programming website provides a link to the GARVEE funded projects that will include the additional programming information for the projects (http://www.dot.ca.gov/hq/transprog/SHOPP/SHOPP%20_GARVEE_%20Sep_2009.xls).

Additionally, there is a debt service component that will need to be programmed (the GARVEE project needs to be programmed in the FTIP twice). Abhijit noted that the link to the GARVEE and support cost information is also included in the CTIPS project description area of the respective SHOPP projects. Sam Kaur, SJCOG, asked if they have SHOPP projects programmed without the GARVEE component programmed, will the MPO will have to submit an amendment to program the additional costs. Penny stated that that would be necessary.

This currently impacts SCAG, SACOG, SJCOG, MTC and the Rural Counties. Penny will be available to assist the regions in the programming of these projects.

Positions open at SACOG:

Jose Luis, SACOG, reported that there are "up to two" positions open at SACOG. Olin Woods has retired, and Jason Crow has moved to ARB to work on the SB 375 program. Jose Luis sent an email to the RTPA group with this notice and the information is available on the SACOG website.

Communications with HQ Programming Office:

Muhaned Aljabiry, HQ Programming noted that the office is still getting amendment and administrative modification packages addressed to people who no longer work in Programming. Muhaned requests that the agencies go to the Coordinator Assignment list that he has provided in order to send information to the correct coordinator.

CMAQ Guidance for CA:

The task force to develop the State of California CMAQ Guidance will be postponed until further notice. In light of the upcoming 2011 FTIP development and workload associated with Stimulus II, it was necessary to postpone this task force to accommodate additional workload associated with these activities.

The State of California CMAQ Guidance is still an important item that Caltrans would like to work on in the near future. Therefore, CFPG will be notified once Caltrans reconvene this task force.

New FTIP Coordinator for Fresno:

Les Beshears, COFCG, reported that COFCG has assigned the duties of the FTIP Coordinator for their agency to Melissa Garza for the duration of Renee Devere's maternity leave.

5. Follow-up Items from last meeting:

- CT Programming will contact Earl Seaberg to communicate MPOs' concerns regarding delay in receiving 1511 certifications for ARRA projects (See Item No. 6 below)

- John Flores will send Breakdown of rescissions – Item completed

- Penny Gray will email for volunteers to plan the FSTIP Workshop – Item completed (See Item No. 9 below)

- The Grouped Project Task Force will meet with FTA to iron out remaining concerns (See Item No. 11 below)

6. 1511 Certifications for ARRA Projects (Caltrans)

Earl Seaberg, DLA, reported that the ARRA certification issues are, for the most part, a moot point because the certification period is over. DLA is, however, using the information from the ARRA certification process as a "lessons learned" to look forward to improvements in the process for the Jobs for Main Street Act 2010. DLA is advocating for relief from the certification process for transportation project due to the extensive review process that takes place to program the projects into the FTIP. This meets the vetting process that the ARRA certification program was designed to fulfill.

Muhaned noted that one of the problems was the inability to certify a project while the amendment programming the project into the FTIP was being reviewed. Earl stated that the programming process was the vetting process, so concurrent processing/certification is not possible. Muhaned further clarified that any project in the FTIP (regardless of programmed fund type) could be certified.

Earl noted that there has been approximately $3billion worth of projects certified in CA, while the CA allocation of ARRA was about $2.5 billion.

7. Proposed Jobs for Main Street Act of 2010 – Economic Stimulus Part II:

Abhijit, HQ Programming, stated that this item was added by request of several regional agencies. Abhijit then asked Steve Luxenburg of FHWA to discuss the bill.

Steve began by discussing the differences in this legislation and the ARRA legislation. The first bill required "obligation" (of 50% of the funding) within 150 days. This bill requires "obligation AND award" (of 50% of the funds) within 90 days. HQ FHWA is soliciting information as to whether this time line is possible or not. Forward any comments to Steve, who will forward them to the HQ contact for the information. (NOTE: information was required the day of the meeting)

Sam Kaur, SJCOG, stated that a lot of the regions will not have the shelf-ready projects for this program because the agencies do not get federal planning money to prepare projects and Caltrans will not process a project (e.g. environmental review or R/W) that is not federally funded, so using local funds to prepare projects is not possible either. It will probably be a 90 day process to prepare the projects just for obligation. Steve noted that that comment has been submitted.

Muhaned discussed using the Jobs Bill funds on already programmed projects. Sam noted that since we used the ARRA funds on the programmed exempt projects (and have not had time to develop new exempt projects that) the remaining projects are not exempt and the expediting of those projects would mean adjusting the open-to-traffic dates, which would in turn trigger a conformity determination, which would also require a formal amendment– and at least the same time line.

Bruce Abanathie, KCAG, noted that for the smaller MPOs and rural regions that exchange the federal RSTP funds for state funds, these projects are not programmed in the TIP, so we do not have that bank of projects available to change out the funding in an administrative modification. It would require developing projects and adding them to the FTIP in a formal amendment, which would take the 90 days again. Steve stated that this comment has also been made to HQ FHWA.

Bob, Caltrans District 1, wanted to know about the availability of administrative funds to manage the program. Bruce Abanathie, KCAG, read a portion of the bill that specified the funding available to FHWA for administrative oversight, but that there was no comment on the availability of funds to the states. Muhaned noted that state statute provides the funding mechanism for Caltrans administrative oversight.

Steve discussed the possibility of programming the funds prior to the final passage of the bill. CA Division of FHWA submitted a request to allow some advanced programming of fund levels for ARRA and received approval to do so. They are looking for a policy decision from D.C. to allow this again.

Jose Luis, SACOG, noted the conundrum of programming the ARRA funds to one large project versus spreading the funds to many projects. Comparatively, this bill specifies the spreading of the funds geographically within a state. Jose also noted the impossibility of meeting the short time line for fixed rail projects; this is more ludicrous than meeting the time line for a highway project.

Steve noted that the planning and programming requirements will stay the same as any other federally funded project unless relief is added to the bill.

Earl Seaberg, DLA, stated that they are advocating for the relief in not only the certification process, but also the streamlining of the programming process and the streamlining of the availability of the funds for this bill.

Steve's final note was that the bill extends SAFETEA-LU to the end of the federal fiscal year.

Les Bresahears, COFCG, commented that the regions have already cannibalized their project lists to implement ARRA and cannot continue to do this for future funding. No comment from FHWA or Caltrans

Additional discussion also included the "maintenance of effort" requirements and the restriction of comingling Jobs for Main Street Act 2010 funds with prior year transit funds.

8. Upcoming MPO Annual Meetings, Work Program Submittals, and Planning Emphasis Areas (FHWA):

Steve Luxenburg, FHWA, stated that FHWA would be sending the planning emphasis areas to the regions (hopefully) within the next few weeks. Steve also noted the improvement in the content and organization of the work programs over the last few years and the appreciation of FHWA for the efforts of the regions. FHWA and FTA planners are available for guidance. The meetings should be in March and April with a few extending to later dates.

Bruce Abanathie, KCAG, asked that the federal agencies avoid scheduling the meetings in conflict with the CTC STIP Hearings in March.

9. Workshop for the 2011 FTIP/FSTIP Development (Caltrans):

Penny Gray, HQ Programming, has sent out an email requesting volunteers for the committee. Four have responded. Items for the committee, do we need a meeting (since several MPOs have started the FTIP development process), how in-depth do we want to go, speakers, subjects, time frame, etc.

10. Roles and Responsibilities of the MPO FTIP Coordinators (Handout #1):

Bruce Abanathie, KCAG, explained the history and development of the MPO-FC R&R document. The purpose of the document is to establish a standardized list of abilities, knowledge, and responsibilities for the FTIP Coordinators at the MPOs that compliments the lists made for the HQ and District FTIPS Coordinators. Muhaned and Bruce specified that this document applies only to the duties related to the development and management of the FTIP.

Terry Lewis, MCAG, asked the intent of the document. Muhaned and Bruce assured Terry that the document was not meant to be used as a job description or specification of duties for any specific person at any regional agency, that it has no compulsory intent toward the MPOs in their job descriptions or duty specifications.

Steve Luxenburg, FHWA stated that this document addresses MPO processes that have long gone undocumented. Having this document for new programming personnel coming to an MPO, not knowing what to do in the development of the FTIP and expecting Caltrans and FHWA to do more than they have the resources to do, is a great benefit.

NOTE: the changes recommended by MTC that were to be added to the minutes. 1) Added the title "Coordination" for the first section. 2) In the first section, item 4. Local Agencies add "transit operators". To the Knowledge and Abilities section, item 1. Know and understand … add "and fiscal constraint requirements".

11. Grouped Listing Projects Task Force – Update (FHWA/Caltrans):

Abhijit, HQ Programming, described the task force members and tasks. Abhijit noted that the committee has accomplished much of the work (a table was provided by Sri at the 11/17/09 meeting), but was unable to meet during the holidays. The committee hopes to complete their work and have a draft available to the CFPG by next meeting. The list will be part of the guidance for the development of the 2011 FTIP. Caltrans Federal Programming Office will update the current Grouped Project Listing guidance to reflect the proposed changes.

Steve Luxenburg, FHWA, added that the goal of the committee is to develop a list of "pre-approved" group listing categories for use in the FTIP. This does not eliminate the possibility of other group listing categories, but provides a list preapproved by Caltrans, FHWA, and soon FTA. If a region wants to use a group listing that is not on the list, it can be add the group listing through consultation with the respective planning coordinators at Caltrans, FHWA, and FTA. The proposed Group listings must be approved prior to programming them in the FTIP.

Steve noted that there would be a different list developed for the attainment areas due to the difference in the types of projects that can be included in a group listing in an attainment are versus a non-

attainment area. Specifically, there is a limitation for non-attainment areas in programming non-exempt projects in a group listing.

12. CMAQ Annual Report (Caltrans):

Jody Tian, HQ Programming, reported that he has received almost all of the regional data. Jodt needs the remaining data in order to process the nearly 300 projects into a Caltrans report to be submitted to FHWA before the deadline. Regions that have not submitted, or have submitted incomplete data will be receiving phone calls from Muhaned and Jody. Steve, FHWA, noted that CMAQ projects without reported air quality emissions benefits are not eligible for CMAQ funds. Steve also described the qualitative assessment process for qualifying a project as having emissions benefits and being eligible for CMAQ funds.

13. CTIPS Update (Caltrans):

Dennis Jacobs, HQ Programming, reported that he has formed a committee to review the programming data entry needs of the state and regions. The committee met last month. The consensus of the committee that the best short-term solution was to continue using CTIPS and to address the necessary improvements in the program to meet the current needs. CTIPS will also become a regular item on the CFPG agenda for input to the CTIPS Office.

Steve Luxenburg, FHWA, asked if the state was abandoning the idea of researching an alternative to CTIPS. Dennis replied that the possibility of obtaining an alternative to CTIPS was still an option as part of the long-range plan.

Muhaned stated that CTIPS does have the capability of providing the necessary data elements that are necessary and with communication among the state and regions that we could bring CTIPS up to the desired level of service.

Steve recommended that the best way to see what the regions want that CTIPS does not provide is to talk to the regions that do not use CTIPS.

Brian Sordi, CTIPS Office, The advent of doing double data entry is not desirable, so one thing is to align the programs so that when they transfer information into CTIPS the data elements line up. The CTIPS Office needs to hear from the regions to know how to make the programs compatible.

The group held extensive discussion on the details and abilities of CTIPS.

14.

a) **Follow-up Items**:
1. Caltrans Federal Programming Office will send the Coordinators Assignment sheet to the MPOs
2. CMAQ Task Force will accept volunteers until January 8, 2010, email Lima Huy to volunteer.
3. Send comments to Steve Luxenburg on the problems associated with the obligation and award of construction contracts for projects in regard to the Jobs for Main Street 2010 Bill (1/5/10 only).
4. Send CMAQ report to Jody Tian by 1/8/10.

b) **Open Forum**:
No Comments

c) **Future Agenda Items**:
No Comments

15. Future Meeting Dates and Locations:

<u>Next Meeting</u> is February 16, 2010 at FHWA in Sacramento (Meeting cancelled)

March 30, 2010 - SACOG, Sacramento (10:30 am – 12:30 pm)
May 11, 2010 - MTC, Oakland (10:30 am – 12:30 pm)
June 22, 2010 - Caltrans, Sacramento (10:30 am – 12:30 pm)

Handout No. 1: Handout for Item No. 10

MPO FTIP Coordinator's Role and Responsibilities

Coordination

The MPO FTIP Coordinator's (MPO-FC) role in the programming and management of the FTIP is to act as the liaison between their Local Agencies, Regional Transportation Planning Agencies, their MPO, and the State and Federal programming partners, including:
1. The Caltrans District FTIP Coordinator(s) (D-FC) and District Local Assistance Office;
2. The Caltrans Headquarters Office of Federal Transportation Management Program Office (OFTMP) and Division of the Local Assistance;
3. All other Caltrans offices and divisions that manage programming funds and/or procedures;
4. Local Agencies within their region, (such as cities, counties, transit operators, RTPAs); and
5. The California Divisions of Federal Highways Administration (FHWA), and Federal Transit Administration (FTA), Environmental Protection Agency (EPA), California Air Resources Board (CARB), Local Air Pollution Control District (APCD), and others as locally required.

Knowledge and Abilities:

1. Know and understand the latest Metropolitan Transportation Planning regulations, policies and procedures, including the FTIP development and amendment/administrative modification process, and fiscal constraint requirements;
2. Know and understand the federal, state, and local funding programs utilized in their regions, including funding eligibility and match requirements;
3. Understand the relationship between the long-range transportation plan (RTP or MTP) and the FTIP.
4. Understand the implications of the RTP environmental document on FTIP project development;
5. Be able to program projects in the California Transportation Improvement Program System (CTIPS);
6. Understand the Air Quality Conformity requirements for their region;
7. Understand the obligation process (Request for Authorization to E-76) for federally funded projects; and
8. Understand the State Transportation Improvement Program (STIP) State Highway Operations and Protection Program (SHOPP) programming and allocation request process as it relates to the FTIP.
9. Understand the link to various programming/funding actions by California Transportation Commission (CTC).

Roles and Responsibilities:

1. FTIP Development and Management - Develop and manage the FTIP in accordance with items (a-g) below and using the latest regulations, policies and procedures:
   a) Manage the federal and state funds apportioned for their region;
   b) Be responsible for ensuring the accuracy of programming in their FTIP, including the fiscal constraint and public participation requirements;

c) Ensure that air quality conformity reflects the requirements set forth in the FHWA Air quality determination guidelines
d) Make sure that D-FC and OFTMP are part of the various regional notification groups such as Inter Agency Consultation group, MPO Public Participation group;
e) Monitor the CTC agenda for programming changes made to the STIP and SHOPP;
f) Review project programming submissions from local agencies, D-FC and OFTMP for (fund) program eligibility and match requirements;
g) Prepare and submit FTIP amendments and administrative modifications in accordance with the Federal Statewide Transportation Improvement (FSTIP) Amendment and Administrative Modification Procedures on a timely basis.

2. Actively participate in the California Federal Programming Group (CFPG) meetings and participate in committees that discuss various programming subjects
3. Coordinate with the D- FC to provide federal programming training for the District, MPO and RTPA staffs, as needed;
4. Provide education directly or through subregional agencies to local agencies regarding (existing and new) FTIP programming and project delivery regulations, policies and procedures as needed;
5. Consult with the D-FC and OFTMP on various issues/guidance related to programming;
6. Prepare and publish the required Listing of Obligated Projects in accordance with your MPO's Public Participation Plan; and
7. Prepare and submit the annual Congestion Mitigation Air Quality (CMAQ) emissions report.